

## **Rule 9. Financial Assistance Plan of the Lawyer Assistance Program**

### **9. FORGIVENESS OF DEBT.**

- (A) By advancing credit under these Rules, the State Bar is making public funds available to assist the Applicant in resolving problems of substance abuse or mental illness, which may have impaired the Applicant's ability to perform as a member of the legal community, and the Applicant is receiving a financial loan, advance or extension of credit with a commitment to repay.
- (B) Within sixty (60) days of earning a certificate of completion, or otherwise satisfying the COMMITTEE that he or she has successfully completed the PROGRAM, an Applicant may submit a written application requesting a waiver of this obligation on the basis that he or she is employed by or providing free legal services to a qualified legal service provider as defined below. The State Bar may waive and forgive any amount due and payable at the sole discretion of the PROGRAM Oversight Committee following a twenty-four (24) month period of continued verifiable, full-time employment. In the event an Applicant is providing free legal services, or employed less than twenty-four (24) months, or less than full-time in that capacity, the amount of such employment shall be deemed qualifying for no more than a pro-rata reduction of any amount due. Full-time employment means employment of at least thirty-five (35) hours per week, and for no less than a full calendar year, allowing for normal and regular vacations, and may include self-employment if described services are verifiable.
- (C) A "qualified legal service provider" for the purposes of this rule is a not-for-profit legal services organization which is receiving or is eligible to receive funds from the Legal Services Program as either a "qualified legal services project" as defined in Business and Professions Code sections 6214 and 6214.5, or a "qualified support center" as defined in Business and Professions Code section 6215.
- (D) The loan repayment obligation shall be suspended up to twenty-four (24) months, but only during the time the Applicant is engaged in an eligible capacity. Applicant's eligibility shall be reconfirmed on a monthly basis in the form of a written declaration submitted under penalty of perjury to the PROGRAM Oversight Committee.
- (E) The decision to grant or deny an application for relief under this section is within the sole discretion of the State PROGRAM Oversight Committee. Any Applicant whose request for waiver is denied by the Oversight Committee shall have the right to request review of that denial by the Board Committee responsible for Member Oversight. However, the decision of the PROGRAM Oversight Committee shall not be overturned except upon a finding by the Board Committee responsible for Member Oversight that the PROGRAM Oversight Committee abused its discretion in making said decision.